

### EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

In the Preliminary Amendment filed March 31, 2004 amending the first page of the specification, --, now U.S. Patent No. 6,784,333 -- has been inserted after "August 6, 2003<sup>2</sup>" and before the period.

d.M  
4/30/07

### REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance:

The showing of unexpected results is deemed persuasive to overcome the rejection. Miller et al. suggests that a tetravalent element may be Si, Ge or both, and does not suggest preference among these tetravalent elements (see col. 10, lines 13-14). However, the specification, as shown in Figure 1, shows unexpected improved selectivity over time for benzene-toluene-xylene when Ge, Si and Al are employed as framework elements as compared to a zeolite containing only Si and Al as framework elements.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."